

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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ERIC WAYNE BROWN,  
Petitioner,  
v.

ORDER  
09-cv-373-bbc

HOLINKA, Warden,  
Respondent.

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Petitioner Eric Wayne Brown has moved to strike respondent Holinka's response, contending that it was filed more than 20 days from the date of the order to show cause. Although petitioner is correct, the order required filing not more than 20 days from the date of service of the petition and respondent has yet to be formally served. Because respondent's response was timely, petitioner's motion to strike is DENIED.

Entered this 21st day of August, 2009.

BY THE COURT:  
/s/  
BARBARA B. CRABB  
District Judge